

SEP 18 2018

CASCADE COUNTY PLANNING BOARD

June 19, 2018

9:00 am

Court House Annex

325 2nd Ave North

Board Members: Mark Carlson, Richard Liebert, Elliot Merja, Rob Skawinski, Ken Thornton, Dan Johnstone, Dexter Busby

Notice: Pursuant to MCA 2-3-212(1), the official record of the minutes of the meeting is in audio form, located at cascadecountymt.gov and the Clerk and Records Office. This is a written record of this meeting to reflect all the proceedings of the Board. MCA 7-4-2611 (2) (b). Timestamps are indicated in red, within each agenda item below, and will direct you to the precise location should you wish to review the audio segment.

These minutes are paraphrased to reflect the proceedings of the Cascade County Planning Board, and are considered a draft until formally approved by the Planning Board.

Staff Present: Alex Dachs, Sonja Pospisil, Anna Weber, Sandor Hopkins and Natalia Wilson

Attendees: Nancy & Daniel Walker, Anton Giger, Bret & Annita Benedict, Kevin May, Carolyn Craven, Dave Campbell, Sasha & Lewis Card and Charles Meslar

1. **Call to order:** Chairman Elliot Merja called the meeting to order at 9:00 am

2. **Roll call:**

Board Members Present: Mark Carlson, Richard Liebert, Elliot Merja, Ken Thornton, Dan Johnstone

Board Members Absent: Rob Skawinski and Dexter Busby

3. **Approval of Minutes:** May 15, 2018

Elliot Merja asked is there anybody that has additions or subtractions on the minutes from last month

Alex Dachs mention that the minutes are slightly different than they have seen before because there is a new version of the minutes, so we can use the audio recording for the official record, so that's where the red stamp is being used to reference where in the audio to go to look for that so its's kind of a condense version.

Richard Liebert asked is it going to be posted in the web site too

Alex Dachs said yes that will be posted and the audio will be the official minutes

Elliot Merja motioned to entertain a motion to approve the minutes as submitted.

Richard Liebert moved to approve the minutes

Mark Carlson seconded the motion

All in Favor, Motion passes 5-0

R0361072 CMS

4. New Business:

Walker Subdivision-Subsequent Minor

Anna Weber presented the staff report for Walker Subdivision, a two-lot subsequent minor subdivision located off of Highwood Drive, in Riverwood Villas NO. 1

9:02

RECOMMENDATIONS:

The following recommendations are provided for the Board's consideration:

1. I move to recommend to the County Commission, after consideration of the Staff Report and Findings of Fact that the Subsequent Minor Subdivision Plat of AN AMENDED PLAT OF THE AMENDED PLAT OF LOT 1, BLOCK 3, RIVERWOOD VILLAS NO. 1 be ~~denied~~;
2. I move to recommend to the Cascade County Commission, after consideration of the Staff Report and Findings of Fact adopt said Staff Report and Findings of Fact and **approve** the Subsequent Minor Subdivision Plat of AN AMENDED PLAT OF THE AMENDED PLAT FOF LOT 1, BLOCK 3, RIVERWOOD VILLAS NO.1 subject to the following conditions

5.Board Questions:

9:08

Richard Liebert asked point number 5 explain the statement of waiver, all the new lot owners would participate on the RSID right (Anna said yes) new comers or old comers all the same rate

Alex Dachs responded so this is an inactive RSID so its assessed every year with number of parcels out there so every year it will be assessed and taxed until the RSID is completed

Elliot Merja mention I thought I saw an actual map they don't have city water or sewer it's all septic and wells (Alex said yes) Any other questions for the staff? Do I have anybody here that is representing this in the public?

Kevin May 4509 18th Ave N with Big Sky Civil and Environmental representing the owners today and to answer any questions you have I don't have much of a presentation for this is pretty simple just a two-lot minor for major review do you have any questions

Elliot Merja said I guess not. Can we entertain a motion?

Ken Thornton moved to recommend to the Cascade County Commission, after consideration of the Staff Report and Findings of Fact adopt said Staff Report and Find findings of Fact and approve the Subsequent Minor Subdivision Plat of an amended plat of the amended plat of lot 1, Block 3, Riverwood Villas No. 1 subject to the said conditions

Richard Liebert seconded

Elliot Merja said it's been moved and seconded any further discussion

Someone mention public comment

Elliot Merja called for public comment

9:11

Public comment

Opponents: none

Proponents:

Anton Giger and I am a neighbor from across Fox Farm Road and I'm for this project
Elliot Merja asked any other public comment 3rd time. Hearing none we close the public comments
9:12

Elliot Merja said so we have a motion, that's been seconded to approve any other comments
from the board, hearing none

All in Favor, Motion passes 5-0

Hearing Closed at 9:12

New Business

B. Manchester Industrial Park-Major Subdivision

Sandor Hopkins presented staff report for Manchester Industrial Park, located off Vaughn South
Frontage Road (previously phase 3 that had preliminary Commission approval but has expired).

9:13

Recommendations:

1. "I move to recommend that the Cascade County Commission after consideration of the Staff
Report and Findings of Fact, **deny** a major subdivision, a Preliminary Plat of Manchester
Industrial Park Phase 3:

2 "I move to recommend that the Cascade County Commission after consideration of the Staff
Report and Findings of Fact, adopt said Staff Report and Findings of Fact and **approve**, a major
subdivision, a Preliminary Plat of Manchester Industrial Park Phase 3, subject to the following
conditions:

9:22

Elliot Merja asked is there any questions for staff?

Richard Liebert stated I just curious what the county shop zone right now I-1 or I-2

Sandor Hopkins replied that is I-1 everything out in the north side of Vaughn frontage Rd south
of I15 is all industrial, excuse me, light industrial

Richard Liebert said I was just curious what our own shop was classified as in context so
conceivably this parcel could be rezoned as I-2 eventually is that possible

Sandor Hopkins said it would be harder because there is no preexisting heavy industrial

Richard Liebert said it is encouraging to see this part move forward

---someone said I agree

Richard Liebert said now is there a Lot Owners Association any idea on the fee

Alex Dachs said yes there is LOA

Richard Liebert any idea how much they pay?

Mark Carlson said I have a question as well from the fire department they need to keep up
maintenance with fire department for 20 years

Sandor Hopkins said it would be perpetual, because fires don't go away in 20 years.

Mark Carson said thank you

Sandor Hopkins said you are welcome

Elliot Merja asked any more questions for staff? We will open it up to the applicant

9:24

Dave Campbell 1034 7th Ave S I'm the owner of Active Investors Inc and I'm here to answer any questions you might have, your question about the association yes, the association it's been running since the beginning we have collected dues everyone pays their dues we have meetings every month very healthy

Richard Liebert asked do you have by-laws?

Dave Campbell said yes, it's tough I run this like a business

Richard Liebert said that's good I have another question do you have any more lead now that this has open

Dave Campbell said it's a tough business I have been there 12 years and sold 12 lots

9:25

Richard Liebert said I have been there many years hauling cattle and have always said this is a great place to do this you have rail, roads, highway everything

Dave Campbell asked any more questions?

Elliot Merja said thank you. We will open it up for the public

9:27

Public comments: 9:27

Opponents: none

Proponents: none

Closed to the Public

Elliot Merja said let's take a motion on this

Richard Liebert made a motion to approve Manchester Industrial Park-Major Subdivision

Mark Carlson seconded the motion

All in favor motion passes 5-0

9:28

C. Mesler Rezone

Staff Report-Anna Weber, rezone parcel from light industrial to heavy industrial.

9:50

Recommendations:

1. "I move to recommend to the County Commission, after consideration of the staff report, that the zone change request of Charles Mesler to rezone parcel #0002712400 located in Section 33, T. 21N., R. 4E., P.M.M., Cascade County, MT. From "I-1" Light Industrial to "I-2" Heavy Industrial be **denied**"

2. "I move to recommend to the County Commission, after consideration of the staff report, that the zone change request of Charles Mesler to rezone Parcel # 002712400 located in section 33, T. 21N., R 4E., P.M.M., Cascade County, MT. from "I-1" Light Industrial to "I-2" Heavy Industrial, be **approved.**"

Board Discussion:

9:51

Elliot Merja asked is there any questions for staff

Richard Liebert asked John Michael Industrial, where is that located?

Anna Weber responded right to the east of the parcel

Richard Liebert asked is that on this map here

Anna Weber said yep so the heavy industrial black to the east, it will be those parcels to the east

Richard Liebert said I knew all those parcels did we receive any response from adjacent owners

Anna Weber said no

Richard Liebert asked State of Montana FWP? (Anna said, no) What is the zoning classification of the agritech park not that is in the County's jurisdiction I-2

Alex Dachs responded I am not sure if that is heavy industrial or light industrial what their designation is on that

Richard Liebert, I know they put a lot of county money and federal money I was just curious on that,

I'm sure it is I-2 did we do any action on this in the last several years

Elliot Merja responded we did one on that fire suppression thing where they rebuild the fires skids and things like that real close to this but I am not exactly sure where that's at

Anna Weber said one that's to the east that's touching it

Elliot Merja asked do you know where the road is that comes in there just curious about what the access is

Alex Dachs said it will be of 18 Ave North connects over to Giant Springs road

Elliot Merja asked is there any more questions. Hearing none I will open it up to the applicant
9:53

Charles Mesler stated It's something that we are really pushing forward we have a lot of people that are being pushed out of the city, because a lot of the rules and regulations and there is very limited things where people can go and do things like open up shops or do things because of that so heavy industrial you can do more I wanted to get this done so that when I have a request I don't have to say let me see what I can do we are trying to be future driven

Elliot Merja asked is this a gravel road?

Charles Mesler responded yes, it is a gravel road we will address that as we go when it comes to the needs

Richard Liebert said so you are in contact with M and D construction

Charles Mesler said yes, I am

Richard Liebert stated they are in the city now right

Charles Mesler said yes, they are they have to move

Richard Liebert said there is a lot of controversy about that in the city and you are providing them with an opportunity which is the county's gain and the city's loss and it's unfortunate they been put in that position that's a good thing to help them out. How much space would they take

Charles Mesler said he wants to take all of it if it comes to it

Richard Liebert stated that's a good way to help those folks. How would you help with clean up?

Charles Mesler said clean up and always keeping it clean down the road, we got Giant Springs across the track and we don't want to interfere with any of that

Richard Liebert stated you want to landscape make it attractive

Charles Mesler said as much as we can, not much grows out there

Ken Thornton asked what's the difference between the heavy industrial and light industrial

Charles when you are light it limits heavy equipment and hours

Public comments opened at 9:57

9:57

Opponents:

Bret Benedict, I own property to the southwest and I should state I'm not an opponent I just want to inquire about the access there is only one access through my property with an easement how would that be impacted

Elliot Merja said I would assume that if they are going to do any more business there then you would have to work on your easement that was one of my questions I thought it was through your place, and that is something you would have to take up with them I'm not sure how its written do you know? (Bret said no) when we bought a property before with an easement (I'm only talking about my own experience) we ended up renegotiating that easement because they changed how many people lived along that easement and everything else too, and they were all willing to do that, but I would think you will want to do that soon don't wait to do it.

Bret Benedict said that's the only consideration I had other than its still little bit vague about heavy industrial and light I just want to know what I am in the middle of because there have been many different things there the Sierra Rock and Dirt I'm assuming that was still light industrial

Elliot Merja asked so does anybody in the staff know if about the Serra Rock and Dirt was that preexisting

Alex Dachs stated I am not sure when that business got started it could be preexisting

Elliot Merja stated I am pretty sure its preexisting, what they did with that fire extension if they were not heavy industrial they were not able to get national contracts with the forest service and I don't think hardly anything is changed on theirs I don't know what the change would be on this what does M and D does

Richard Liebert said all I know is they are a construction company and they are being pushed out of the city

Charles Mesler stated they are into heavy construction from demos to roads refinery work

Elliot Merja said that would be similar to the Sierra Rock and Dirt so I would say you really need to work on that easement so that is reasonable for both of you

Bret Benedict said that's all I have

Elliot Merja called for opponents second call

Carolyn Craven 101 14th Ave S I am only a homeowner and resident of Great Falls I'm concerned about some of the same issues as my predecessor I'm concerned about the nonspecific about the business proposed because it seems we should know that before we seek a change in the zoning, because if the adjacent Sprinklers is looking to expand that is typically not a heavy industrial also concerned about the proximity to Giant Springs because heavy industry, even

though it says here in pg. 5 that they are willing to maintain the beauty of the area, they already have said that nothing grows there and I have yet to see a heavy industry maintained the beauty of the area. So, I as an individual resident of Cascade County have this concern thank you

Elliot Merja made a third call for opponents

Proponents: none

Public Comments closed at 10:03

10:03

Richard Liebert asked what have we seen in the past as far as heavy construction equipment moving in we haven't had any plats with that have we?

Alex Dachs said not typically we can take a look at that easement to see if it's feasible for heavy construction equipment

Richard Liebert said if it was M and D they could open a super highway I think the drainage is not going to be a problem the lady was right we want applicants to be in harmony as much as possible

Mark Carlson stated because of the broad brush they could do this, this, or this it could go on into the heavy industrial they still must go all through the steps to be able to put up condos or anything like that

Alex Dachs said yes, they still must go through the location conformance permits

Mark Carlson asked because of the road if they were going to do condos or anything like that there would have to be a conformance

Alex Dachs said they would have to go through and name that property there maybe additional standards

Mark Carlson said the fire departments would be one

Alex Dachs said if they were to subdivide that property they would have to put up a road to county standards

10:07

Ken Thornton asked about the noise and air pollution is there any difference between I-1 and I-2

Alex Dachs stated we don't really address those

Ken Thornton stated with them neighboring Giant Springs that's a concern

Charles Mesler said we come in from the west not a lot of things grow around the rail road tracks

Elliot Merja asked for someone to point out the road

Bret Benedict showed the road

Alex Dachs mention to the west of the property line

Elliot Merja asked can we entertain a motion

Dan Johnstone made a motion to Approve

Richard Liebert seconded the motion

All in favor motion passes 5-0

5. Old Business: None

Alex Dachs mention there is no old business at this time I think you had a question about family transfer if you had 20 acres and you wanted to give one to your daughter you could not give her an acre from the middle because you would be creating 3 parcels essentially since only one parcel could be created you would have to go to the side of the property

Richard Liebert asked what ever happened with the Ulm subdivision remember the HOA did they ever resolve that," I know it went to the commissioners"

Alex Dachs said the commissioners postponed it, it seems like they have come to a consensus on that so it will be going back to the commissioners on the 26th next week

6. Board Matters:

10:10

Richard Liebert said we haven't advertise for a planning director have we (Alex said I don't think so) I know Jim Ekberg retired has that position been filled.

Alex Dachs said I'm not sure if it's been filled but we have had interviews

Richard Liebert stated no reflection on the professionalism of this staff but you never know what's going to happen so it's good to advertise is Susan retired now? (Alex said yes)

Elliot Merja mention that Brian Clifton called him and mention they are going to try to fill that position internally

Alex Dachs mention that we are having a planning meeting on July 17

Elliot Merja said that would be hard for him

Alex Dachs said maybe the last week in July

Elliot Merja said that's worse for me but, Mark Carlson can do this

Alex Dachs asked Richard Liebert if July 17 would be ok (he said yes)

7. Adjournment:

Richard Liebert motion to adjourn

Mark Carlson seconded motion

All in Favor, Motion passes 5-0

Meeting adjourned at 10:20

Elliott Merja or Mark Carlson

9/18/18
Date

Alex Dachs

9/18/18
Date